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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/510,094 | 12/08/2004 | Kia Silverbrook | BAL20US | 6892 |

24011 7590 10/25/2006

SILVERBROOK RESEARCH PTY LTD
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AUSTRALIA

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| EXAMINER |
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SUTHAR, RISHI S

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| ART UNIT | PAPER NUMBER |
|----------|--------------|

2851

DATE MAILED: 10/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/510,094 | SILVERBROOK, KIA | |
| | Examiner | Art Unit | |
| | Rishi Suthar | 2851 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>20060530; 20041005</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (US 5,847,836) in view of Hatada et al. (US 4,270,853) and Sharma et al. (US 5,726,693).

Suzuki discloses in Figs. 1 and 2 and column 4, line 29 through column 6, line 15, a camera system with an image sensor (40), a digital processing means (26), and a printer with a detachable print media supply means or a print sheet roll (25) wrapped around a former which rotates when the camera system is printing, and a print head (5). However, Suzuki does not disclose photo width printing and a magnetic recording means. Hatada et al. discloses in Figures 1a, 1b, 2, 9 and 10 and column 2, line 14 through column 3, line 7 and column 9 through column 10, line 53, a camera system with a sensor for sensing an image and printing the sensed image where there is a first surface for the printing the image (2) and a second surface which is a magnetically sensitive surface (9) and magnetic recording means for recording audio information associated with the image onto the magnetically sensitive surface. Hatada et al. also teaches that the magnetically sensitive surface comprises a strip affixed to the back or

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the front of the print media (col. 2, line 65 – col. 3, line 7). Sharma et al. discloses in Fig. 1, a photo width ink jet printing (col. 5, lines 52-63). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide the photo width printing and the magnetic recording portion for audio to the invention of Suzuki in order to enhance the enjoyment and to provide additional information when viewing the image through the magnetic recording, and to simplify the mechanism and to obtain very small spot sizes, and very low power dissipation and high accuracy of the photo width printing (Sharma et al., col. 4).

3. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (US 5,847,836) in view of Kelley (US 4,905,029) and Sharma et al. (US 5,726,693).

Suzuki discloses in Figs. 1 and 2 and column 4, line 29 through column 6, line 15, a camera system with an image sensor (40), a digital processing means (26), and a printer with a detachable print media supply means or a print sheet roll (25) wrapped around a former which rotates when the camera system is printing, and a print head (5). However, Suzuki does not disclose photo width printing and a magnetic recording means. Kelley discloses in Figures 1, 4 and 6 and column 1, line 48 - column 2, line 7, a camera system (Fig. 1) with a sensor for sensing an image and printing the sensed image where there is a first surface for the printing the image (22) and a second surface which is a magnetically sensitive surface (24) and magnetic recording means for recording audio information associated with the image onto the magnetically sensitive

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surface. Kelley also teaches that the magnetically sensitive surface comprises a strip affixed to the back or the front of the print media (col. 6, line 67 - col. 7, line 3). Sharma et al. discloses in Figure 1, a photo width inkjet printing (col. 5, lines 52-63). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide the photo width printing and the magnetic recording portion for audio to the invention of Suzuki in order to enhance the enjoyment and to provide additional information when viewing the image through the magnetic recording, and to simplify the mechanism and to obtain very small spot sizes, and very low power dissipation and high accuracy of the photo width printing (Sharma et al. col. 4).

Conclusion

4. This is a 371 of PCT/AU02/01161, which is a continuation in part of applicant's earlier Application No. 10/176,680. Applicant is directed to the rejection dated 13 June 2003 in the previously cited application. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Telephone Numbers

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rishi Suthar whose telephone number is 571-272-8456. The examiner can normally be reached on M-Th 8:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diane Lee can be reached on 571-272-2399. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, appearing to read "W B Perkey".

Rishi Suthar
Examiner
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RS
October 13, 2006

William Perkey
Primary Examiner